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UNCLAS SECTION 01 OF 03 KATHMANDU 000989

SIPDIS

STATE FOR SA/INS AND DS/IP/NEA  
STATE ALSO PLEASE PASS USAID/DCHA/OFDA  
STATE ALSO PLEASE PASS PEACE CORPS HQ  
USAID FOR ANE/AA GORDON WEST AND JIM BEVER  
MANILA FOR USAID/DCHA/OFDA  
LONDON FOR POL/RIEDEL  
TREASURY FOR GENERAL COUNSEL/DAUFHAUSER AND DAS JZARATE  
TREASURY ALSO FOR OFAC/RNEWCOMB AND TASK FORCE ON TERRORIST  
FINANCING  
JUSTICE FOR OFFICE OF THE DEPUTY ATTORNEY GENERAL/DLAUFMAN

E.O. 12958: N/A

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SUBJECT: UPDATE ON NEPAL'S MAOIST INSURGENCY, May 24-30

REFERENCE (A) KATHMANDU 0860  
(B) KATHMANDU 0945  
(C) KATHMANDU 0901

SUMMARY

1. Representatives from the negotiating teams of the Government of Nepal (GON) and Maoists have been unusually quiet this week, with no progress reported in setting a date for the third round of talks. Members from both teams reportedly are blaming each other for the stalled negotiations. In an interview on May 29 with a London based newspaper, Baburam Bhattarai, Maoist ideologue and head of the talk team, said that Maoists had spared the Kathmandu Valley out of fear of the United States. Amnesty International (AI) released a report on May 28 that cited a sharp increase in human rights abuses by both security forces and Maoists. The Maoist-affiliated All Nepal National Independent Students' Union-Revolutionary (ANNISU-R) withdrew its strike against private schools. The Royal Nepal Army (RNA) continues its humanitarian assistance and medical treatment outreach efforts. The Maoists' disregard for the ceasefire and code of conduct continues. The insurgents reportedly continue to extort money, abduct civilians, disrupt agricultural sales, and brutally assault civilians. End Summary.

WAITING AND WATCHING

2. Progress in peace talks appears to be stalled, with no mention of a date for the third round. Representatives from both sides reportedly are blaming each other for the delay. In a statement issued on May 29, Baburam Bhattarai warned of the possibility of stopping peace talks. Bhattarai accused the Government of Nepal (GON) of violating the ceasefire and failing to implement agreements reached during the second round (Ref A), particularly the restriction of movement by the Royal Nepal Army (RNA). Krishna Bahadur Mahara told reporters on May 28 that the insurgents are "waiting and watching" for the next round. Mahara also criticized the government for not responding to the Maoists' proposals set forth during the second round of talks. Ram Bahadur Thapa, another Maoist talk team member, criticized the GON, decrying its failure to present an agenda and its "lack of seriousness."

MAOISTS FEAR U.S. INVASION

3. In an interview on May 29 with a London-based newspaper Baburam Bhattarai, Maoist ideologue, claimed that the Maoists control almost eighty percent of Nepal, and that the insurgents have the upper hand in the "Peoples' War." The Maoist leader said the insurgents had the capability to take control of the Kathmandu Valley, but chose not to for fear it would provoke an "American invasion." He claimed that the U.S. had openly threatened the Maoists, but that the Maoists could not be defeated. Bhattarai also admitted that the Maoists had murdered soldiers and policemen, but declared that such killings are justifiable under the "law of war."

AI REPORT CITES INCREASING VIOLATIONS

4. Amnesty International (AI) released its "Annual Report 2003: 2002 in Focus," on May 28 and blasted both the Maoists and security forces for human rights abuses. The report declared that 2002 saw a dramatic rise in unlawful killings, disappearances, torture and abductions by the Maoists, and also accused security forces of arbitrary arrests and unlawful detentions. The annual report states that the insurgents stepped up attacks on political parties, most

often targeting members of Nepali Congress (NC) and the Communist Party of Nepal-United Marxist Leninist (CPN-UML). AI also pointed out that the Maoists recruited children, and were responsible for the executions of security personnel. AI announced on May 19 that it will send a delegation to Nepal to discuss its concern over human rights violations by both the security forces and the insurgents, despite a three-month ceasefire.

#### RNA HUMANITARIAN ASSISTANCE CONTINUES

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15. The Royal Nepal Army (RNA) conducted free health camps across Nepal, providing an estimated five thousand people with medical treatment (Ref B). In the southeastern district of Udayapur, locals, some of whom walked two days to attend the camp, were given free medicines as well as treatment. Items such as shoes, slippers, and food were also distributed. In the eastern city of Biratnagar, RNA personnel provided medical treatment and medicines, and also distributed clothes, stationary, and money to local schools.

#### ANNISU-R WITHDRAWS STRIKES

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16. Private schools reopened on May 24 after the Maoist-affiliated All Nepal National Independent Students' Union-Revolutionary (ANNISU-R) withdrew its strike and unlocked accounting offices (Ref C). The ANNISU-R reached an agreement with school officials that included a revised fee schedule to be in place by June 15. The agreement also states that public schools will not be allowed to collect fees for grades one through five. ANNISU-R had locked up the accounting and administration offices in over eight thousand private schools throughout Nepal, including over forty schools in the Kathmandu Valley.

#### MAOIST VIOLATIONS RAMPANT

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17. In apparent increasing disregard for the ceasefire, Maoists throughout Nepal reportedly continue to commit violations of the code of conduct and civilian human rights. Maoist cadres abducted nine people on May 24 in Kailali District. The insurgents claimed the people were guilty of looting, and witnesses said they were taken into the jungle. A Nepali Congress (NC) member was abducted in Rautahat District on May 25. His whereabouts remain unknown. An eighteen-year-old boy, abducted by Maoists on May 21 in Siraha District, was released after the insurgents broke his leg. The Maoists accused the youth of supplying information to police. The body of a Royal Nepal Army (RNA) soldier, who had been abducted by Maoists on May 9 from Makwanpur District, was found on May 24. The soldier was brutally murdered and found with his hands and feet bound.

18. Maoists in Sindhuli District reportedly have banned farmers from selling their produce at a weekly fair out of fear that there will be insufficient amounts left for the insurgents to eat. The farmers, who participate in the weekly fair for their livelihood, have been threatened with severe consequences if they ignore the Maoists' orders. Maoists in Dailekhi District blasted teargas into a hotel on May 27 after the owner apparently refused to provide food and shelter to the insurgents. In Bara District, a group of Maoists stormed into the home of a former police constable on May 28 and stole weapons and ammunition.

19. The Nepali Congress (Democratic) publicly condemned the Maoists on May 25, declaring that the insurgents have not changed and continue to do what they did prior to the ceasefire. A group of former Village Development Committee (VDC) Chiefs have also publicly declared the Maoists to be in gross violation of the ceasefire, and threatened that they would resort to revenge against the Maoists if their depredations continued. Many VDC workers are still unable to return to work, and in Taplejung District VDC secretaries said the Maoists have stopped them from carrying out their duties. As a result, villagers have not been able to register the births and deaths of family members.

110. A report presented on May 24 at a conference organized by the Institute of Human Rights Communication, Nepal, declares that the insurgency has claimed the lives of almost two hundred children and displaced eight thousand others. The report also states that many children could not continue with their education because Maoists had taken over schools and used them as barracks and for political training. Healthcare in Maoist-infested areas also suffered, as programs, such as immunization clinics, were halted by the insurgency.